

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 4:04CR73-P-B

LARRY LEE

ORDER

This cause is before the Court on defendant Lee's Motion for Continuance [29]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for November 6, 2006. Counsel for defendant seeks a continuance in order to complete additional investigation and to review the discovery materials recently provided by the government and to allow the filing of additional pretrial motions. The government does not object to the requested continuance. Based on the foregoing, the Court finds that the defendants' motions are well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from November 6, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant additional time to investigate and prepare his defense to the charges at issue. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance [29] is GRANTED;
2. That the trial of this matter is continued until Monday, December 11, 2006 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from November 6, 2006 until December 11, 2006 is excluded as set out above;
4. That the deadline for filing pretrial motions is November 20, 2006;
5. That the deadline for submitting a plea agreement is November 27, 2006.

SO ORDERED, this the 20th day of October, 2006.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE